

REMARKS/ARGUMENTS

Status of Claims

Claims 1-15 and 17-27 are pending in this application with claim 1 being the only independent claim. Independent claim 1 has been amended to incorporate the features in the previously presented claim 6, which has been cancelled without prejudice. Claims 2-15 and 17-27 have been amended to conform to U.S. patent practice without narrowing any of the claims or any claim element contained therein. No new matter has been added.

Overview of the Office Action

Claims 14, 16 and 22 stand objected to for containing informalities.

Claims 1-5, 8, 15, 23 and 24 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Madadi* (USP 5,688,042).

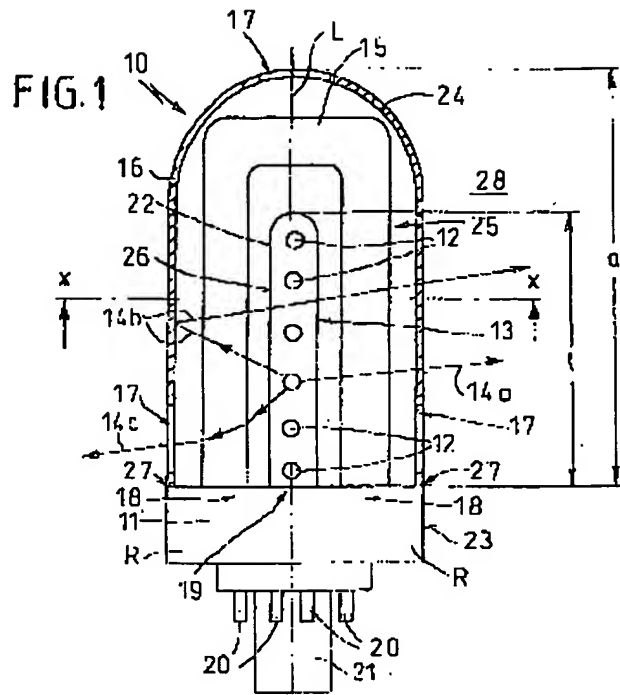
Claims 6, 7 and 25-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Madadi*.

Claims 9-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Madadi* in view of *Chan* (US Patent Application Publication No. 2003/0021117).

Claims 16-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Madadi* in view of DE 200 07 134 ("DE '134").

Summary of the Subject Matter Disclosed in the Specification

The following descriptive details are based on the specification. They are provided only for the convenience of the Examiner as part of the discussion presented herein, and are not intended to argue limitations which are unclaimed. Fig. 1 in the application is reproduced below for the Examiner's convenient reference.



The present specification discloses a lamp (10) having a base (11) for connection to a lamp socket on the lamp (10). A plurality of LED elements (12) are disposed at a distance to the socket and combined to a constructional unit (13). The lamp (10) also has at least one lamp element (15) of a second type arranged on the base (11).

The lamp (10) described above allows for homogeneous luminance distribution of the LED light emitted by the LED elements (12).

Patentability of the Claimed Invention

Independent Claim 1

Independent claim 1 recites a lamp element of a second type in addition to a module of LED elements, both being arranged on the base. The above claim features are not disclosed in the cited art.

The Office Action concedes that “*Madadi* does not disclose a second lamp element” (*see*, item 22 on page 5 of the Office Action). Therefore, independent claim 1 is not anticipated by *Madadi*. The 35 U.S.C. §102(b) rejection of independent claim 1 is thus believed to have been overcome.

The Office Action cites *DE '134* for its alleged teaching of a fluorescent lamp 6 and takes the position that it would have been obvious to one skilled in the art to incorporate the fluorescent lamp taught in *DE '134* into *Madadi's* LED lamp (*see*, page 5 of the Office Action). Applicants respectfully disagree.

Madadi teaches the following in its Background of the Invention section:

[Exit and emergency] signs are usually illuminated by one or more incandescent or compact fluorescent lamps, each of which will normally have a rating of 15-25 watts. The use of incandescent and fluorescent lamps results in a power requirement which is particularly significant when the signs are powered by a battery supply in the event of an emergency. (Col. 1, ll. 16-22.)

....

Another object is to provide such an LED lamp which can readily **replace the incandescent and fluorescent light units** in existing exit and emergency signs. (Col. 1, ll. 62-64, emphasis added.)

The above cited portions teach that *Madadi* is contemplated to use an LED lamp in place of an incandescent and fluorescent light unit. *Madadi* proceeds to describe the provisions of an LED lamp for creating a substantially uniformly lighted appearance for signs (*see, e.g.*, col. 1, ll. 59-61). Based on the above cited portions of *Madadi*, one skilled in the art will appreciate that *Madadi* intends to do away with incandescent and fluorescent lamps. Accordingly, there is no reason for one skilled in the art to include the fluorescent lamp 6 as is taught in *DE '134* in *Madadi's* LED lamp, as is suggested in the Office Action. In fact, the above cited portions of *Madadi* teach away from using incandescent and fluorescent light units in *Madadi's* LED lamp.

Moreover, even if *Madadi* can be modified to include a fluorescent lamp as taught by *DE '134*, which applicants strongly disagree, such proposed modification does not teach that the LED module and the lamp element be arranged on the same base, as is recited in independent claim 1. In contrast, *DE '134* teaches that its fluorescent lamp 6 be arranged on a mounting plate 11 while the LEDs 20 are separately fastened to the upper wall 13 (*see*, Fig. 3). Therefore, independent claim 1 is not obvious over the cited references for the above additional reasons.

In view of the above, independent claim 1 patentably distinguishes over the cited art and is thus allowable.

Dependent Claims 2-15 and 17-27

Claims 9-14 and 17-22 depend, directly or indirectly, from allowable independent claim 1. *Chan* and *DE '134* are cited in the Office Action against the additional features in claims 9-14 and 17-22 but do not remedy the deficiencies of *Madadi*. Therefore, claims 9-14 and 17-22 are allowable for at least the same reasons that independent claim 1 is allowable.

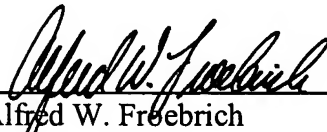
Claims 2-8, 15, and 23-27 depend, directly or indirectly, from allowable independent claim 1 and, thus, each is allowable therewith. In addition, claims 2-8, 15, and 23-27 include features which serve to even more clearly distinguish the claimed invention over the cited art.

Conclusion

Based on all of the above, it is respectfully submitted that the present application is now in proper condition for allowance. Prompt and favorable action to this effect and early passing of this application to issue are respectfully solicited. Should the Examiner have any comments, questions, suggestions or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

Respectfully submitted,

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